

EXPRESS MAIL NO. EV057356148US
DATE OF MAILING August 11, 2003



Attorney Ref. No.: 09800080-0080
Client Ref. No.: P1887R1-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Shimkets, RA
Lowe, D.G. DOCKET NO.: 09800080-0080
SERIAL NO.: 09/888,358 GROUP ART UNIT: 1634
DATE FILED: June 22, 2001 EXAMINER: Sally A. Sakelaris
INVENTION: CGI-69 COMPOSITIONS AND METHODS OF USE

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Mail Stop DD
COMMISSIONER OF PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an Information Disclosure Statement for consideration in the above-identified application. This Information Disclosure Statement is submitted:

Within 3 months (1) of filing date of a national application; (2) of date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first Office Action on the merits, whichever occurs last. (No fee is required.)

After the mailing date of a first Office Action but before (1) mailing of a final action under 37 C.F.R. §1.113; or (2) mailing of a notice of allowance under §1.311, whichever occurs first.

Payment for the fee set forth in 37 C.F.R. §1.17(p) accompanies this submission; or

The certification specified in 37 C.F.R. §1.97(e) is made below. (No fee is required.)

After the mailing of (1) a final action under 37 C.F.R. §1.113; or (2) a notice of allowance under 37 C.F.R. §1.311 whichever occurs first, but **before** payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) is made below. The Commissioner hereby is petitioned to consider the Information Disclosure Statement accompanying this submission. Payment for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) accompanies this submission.

The undersigned counsel for applicant(s) hereby certifies each item of information identified in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The undersigned counsel for applicant(s) hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application, or to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A check in the amount of \$0.00 to cover any required fee is enclosed.

Other - To be charged on our American Express Account. Credit Card Payment Form enclosed.

The Commissioner is hereby authorized to charge any deficiency in fees which may be required, or credit any overpayment to Account No. 19-3140. *A duplicate copy of this sheet is enclosed for this purpose.*

Respectfully,

SONNENSCHEIN NATH & ROSENTHAL LLP

By *Gregory M. Zinkl*, Reg. 48,492

Gregory M. Zinkl, P.D.

Scientific Advisor and Patent Agent

Sonnenchein, Nath & Rosenthal LLP

P.O. Box 061080, Wacker Drive Station, Sears Tower

Chicago, Illinois 60606

Telephone (312) 876-8000

When phoning re this application,
please call (312) 876-8936.

08/14/2003 AWONDAF1 00000026 09888358

02 FC:1806

180.00 0P

Please type a plus sign (+) inside this box TM

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of info unless it contains a valid OMB control no.

Substitute for form 1449B/PTO															
INFORMATION DISCLOSURE STATEMENT BY APPLICANT															
(use as many sheets as necessary)															
Sheet	1	of	1												
Complete if Known															
AUG 11 2003															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">09/888,358</td> </tr> <tr> <td>Filing Date</td> <td>June 22, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Shimkets, R.A.</td> </tr> <tr> <td>Group Art Unit</td> <td>1634</td> </tr> <tr> <td>Examiner Name</td> <td>Sally A. Sakelaris</td> </tr> <tr> <td>Attorney Docket Number</td> <td>09800080-0080</td> </tr> </table>				Application Number	09/888,358	Filing Date	June 22, 2001	First Named Inventor	Shimkets, R.A.	Group Art Unit	1634	Examiner Name	Sally A. Sakelaris	Attorney Docket Number	09800080-0080
Application Number	09/888,358														
Filing Date	June 22, 2001														
First Named Inventor	Shimkets, R.A.														
Group Art Unit	1634														
Examiner Name	Sally A. Sakelaris														
Attorney Docket Number	09800080-0080														

OTHER ITEMS – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	A18	Bing, C., M. Brown, P. King, P. Collins, M.J. Tisdale and G. Williams. 2000. Increased gene expression of brown fat uncoupling protein (UCP)1 and skeletal muscle UCP2 and UCP3 in MAC16-induced cancer cachexia. Cancer Res. 60:2405-2410.		
	A19	GenBank Accession NM_016016. 2000.		
	A20	Lai, C.H., C.Y. chou, L.Y. Ch'ang, C.S. Liu and W. Lin. 2000. Identification of novel human genes evolutionarily conserved in <i>Caenorhabditis elegans</i> by comparative proteomics. Genome Res. 10:703-713.		
	A21	Ledesma, A., M. Garcia de Lacoba and E. Rial. 2002. The mitochondrial uncoupling proteins. Genome Biology 3:2015.1-1015.9.		
	A22	Xu, X.X., D.A. Lewin, A. Zhong, J. Brush, P.W. Schow, S.W. Sherwood, G. Pan and S.H. Adams. 2001 Overexpression of the human 2-oxoglutarate carrier lowers mitochondrial membrane potential in HEK-293 cells: contrast with the unique cold-induced mitochondrial carrier CGI-69. Biochem. J. 353:369-375.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



--	--	--	--

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--